

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA, et al.,

Plaintiffs,

v.

STATE OF WASHINGTON, et al.,

Defendants.

CASE NO. C70-9213 RSM

ORDER GRANTING LEAVE TO OPEN NEW
SUBPROCEEDING

THIS MATTER comes before the Court on the *ex parte* motion of the Sauk-Suiattle Indian Tribe (“Sauk-Suiattle” or “Tribe”) for an order granting leave to open a new subproceeding. Dkt. #22612. Affected parties that have previously identified themselves as parties which intend to respond include The Tulalip Tribes, Suquamish Tribe, Swinomish Indian Community, and the Upper Skagit Indian Tribe. *Id.* Counsel for Sauk-Suiattle certifies that the Tribe complied with the pre-filing requirements of Paragraph 25 of the Permanent Injunction, and the Court’s Supplemental Order on Paragraph 25 Procedures. *See* Dkt. #22612-1.

The pre-filing requirements of Paragraph 25 of the Permanent Injunction, as modified August 11, 1993 (Dkt. #13599), and the Court’s Supplemental Order on Paragraph 25 Procedures (Dkt. #19893), set forth the procedures required for filing a motion for leave to open a new subproceeding. The Court is to “consider the motion as soon as practicable and shall liberally grant such motions, provided the Request for Determination appears to fit within the purposes set forth at Paragraph

25(a) of the Permanent Injunction.” Dkt. #19893 at 2 (citing Dkt. #13599). The Order granting the motion for leave to file shall not constitute a final determination that the dispute is within the Court’s jurisdiction under Paragraph 25, and such jurisdiction may still be questioned by the responding party. *Id.*

Having considered the Motion and the relevant record, the Court hereby FINDS and ORDERS:

- 1) The Sauk-Suiattle Indian Tribe’s Motion for an order granting leave to open a new subproceeding, Dkt. #22612, is GRANTED.
- 2) It is further ORDERED that the Clerk shall open this matter as a new subproceeding, designated as Subproceeding 24-sp-01 RSM. Upper Skagit may then file its Request for Determination. All filings in the subproceeding shall be filed in the main case, C70-9213RSM, as well as in the subproceeding.
- 3) Given the above, the Court STRIKES as MOOT the Sauk-Suiattle Indian Tribe’s Motion for a Status Conference, Dkt. #22632.

DATED this 16th day of September, 2024.



RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE